

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 4749  
Napolitano for Congress, and)  
Yolanda Dyer, as treasurer; )  
Grace Flores Napolitano; )  
Luigi A. Vernola; )  
Harvey Englander )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 10, 1999, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 4749:

1. Find reason to believe that Luigi A. Vernola violated 2 U.S.C. § 441a(a)(1)(A) with respect to the making of an excessive in-kind contribution, but take no further action.
2. Find reason to believe that Napolitano for Congress violated 2 U.S.C. § 441a(f) with respect to its receipt of an excessive in-kind contribution from Luigi A. Vernola, but take no further action.
3. Find no reason to believe that Frank Napolitano violated 2 U.S.C. § 441a(a)(1)(A).
4. Find no reason to believe that Napolitano for Congress violated 2 U.S.C. § 441a(f) with respect to its receipt of candidate loans.

(continued)

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5. Find no reason to believe that Grace Flores Napolitano violated 2 U.S.C. § 439a
6. Find no reason to believe that Harvey Englander violated the Act with respect to this matter.
7. Approve the appropriate letters as recommended in the General Counsel's February 26, 1999 report.
8. Close the file.

Commissioners Elliott, Mason, McDonald, Sandstrom,  
and Wold voted affirmatively for the decision.  
Commissioner Thomas dissented.

Attest:

3-11-99  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission